

Agency Strategic Plan

Virginia Parole Board

Agency Mission, Vision, and Values

Mission Statement:

The Virginia Parole Board's mission is to protect public safety and contribute to a fair and effective justice system by ensuring that persons who remain a threat to society remain incarcerated and those who no longer present a risk are released to become productive citizens. The Parole Board is empowered to make decisions regarding discretionary release of those inmates who are parole eligible; to revoke parole and post-release supervision of those found to be in violation of the terms of their release and to investigate, prepare reports and advise the Governor on requests for executive clemency. The Board also reviews and makes decisions on petitions for geriatric release and reviews appeals of cases for those declared ineligible for parole under the three-time law.

Agency Vision:

The Parole Board vision is make parole and related decisions in a timely manner consistent with public safety, victim concerns, inmate rights and the wise use of state resources.

We envision the Parole Board as a vital part of the Virginia justice system because it

Makes fair, consistent and impartial parole decisions and clemency recommendations in a timely manner;

Considers public protection, victim concerns and offender circumstances;

Makes wise use of state resources.

Agency Executive Progress Report

Current Service Performance

The Parole Board performs a multitude of functions within the criminal justice system.

- **PAROLE**-- The primary function of the Parole Board is to make decisions with regard to the granting of parole. In 1995, Virginia abolished parole for all crimes committed after July 1, 1995. At this time there are approximately 10,000 inmates in the Department of Correction who are eligible for parole and an estimated 6,000 decisions required annually. Many factors are considered by the Board in deciding whether to grant parole. These factors include the nature of the crime, length of sentence, time served, criminal record, past experience on supervision, institutional adjustment, family/community support, and victim input.
- **REVOCATIONS**--The Parole Board also reviews those who are in violation of the conditions of their pre- or post- release supervision and determines which individuals should be returned to custody and which should be continued on supervision. Consideration is given to the nature of the crime for which they at supervision, whether the violation is a new criminal conviction or a technical violation such as continued use or failure to complete sex offender treatment and the amount of time left to serve. There are approximately 600 violators reviewed by the Parole Board annually.
- **GERIATRIC PETITIONS**--Under Virginia law, inmates who have reached the age of 60 and served 10 years and inmates who are 65 years of age and have served 5 years may petition the Parole Board for "geriatric" Agency Strategic Plan

release. The board receives 50-75 geriatric petitions annually. There are approximately 400 inmates who meet the minimum requirements (age and length of incarceration). All but approximately 65 of these are parole eligible and therefore are already reviewed annually for parole and their age as well as any health issues are considered at that time. Geriatric petitions are reviewed by the board and decisions as to whether to release

Agency Strategic Plan

Virginia Parole Board

inmate are based on such factors as the nature of the crime, age and medical condition, length of sentence received, time served, criminal record, institutional record, family and community support, and victim input. Most of the inmates who have applied for geriatric release have been violent criminals.

- **CLEMENCY PETITIONS** - Anyone convicted of a crime, whether incarcerated or not, may request clemency from the Governor in the form of a simple pardon (official forgiveness for a crime), a conditional pardon (reduction in sentence/ release from incarceration) or an absolute pardon (appropriate only for innocent individuals). At the request of the Governor, the Parole Board investigates the facts and circumstances of the original crime and any other relevant information and makes a recommendation to the Governor. The Parole Board reviews and evaluates 200-300 petitions annually. This number may increase because individuals sentenced under the no-parole law have no recourse except to seek clemency.
- **APPEALS OF 3x LOSER STATUS** - Under Va. Law (prior to the elimination of parole in 1995), a person convicted of three murders, rapes or armed robberies that were not part of a common scheme or plan was not eligible for parole. The decision as to whether a person falls under the "3x loser" statute is made by the Department of Corrections and may be appealed to the Parole Board. The Parole Board reviews the appeals and determines whether the determination made by the Department of Corrections is correct. Because these cases involve crimes committed prior to 1995, most have already been appealed to and ruled on by the Board.
- **VICTIM ISSUES**- The Parole Board seeks victim input prior to releasing an inmate on discretionary parole. This effort is accomplished in two ways. First - the Board, with the help of a grant through the Department of Criminal Justice Services is in the process of reviewing the cases of all 10,000 parole eligible inmates and attempting to locate the victims/victim's families to obtain information about the impact of the crime. This information is made part of the official file and is reviewed by the Board as part of the decision making process. Considering the fact that many of the violent crimes are decades old and records often contain little or no current victim information, this is a formidable and resource intensive task. Second: Whenever the Board is considering granting parole to an inmate, the victim is contacted and updated information sought
- **BOARD APPOINTMENTS**- The Parole Board offers crime victims and their families the opportunity to meet with a member of the Board to personally express their feelings about the impact of the crime and the inmate's possible parole. After the Board appointment, each victim is contacted personally to inform him of the Board's decision.
- **INMATE ISSUES** - The Board offers inmates' families and supporters the opportunity to meet with a member of the Board to provide information as to why the inmate should be released.

Agency Strategic Plan

Productivity

Develop, test and implement a new voting system for the Parole Board as part of the new DOC case management system. Work in progress.

Major Initiatives and Related Progress

Virginia Ranking and Trends

Customer Trends and Coverage

Future Direction, Expectations, and Priorities

Impediments

Agency Strategic Plan

Virginia Parole Board

Agency Background Information

Statutory Authority

Va Code Section 53.1-134 - Creation of the Parole Board

Va Code Section 53.1- 136 - Powers and Duties of Board

Va Code Section 53.1-155 - notification/input

Customer Base:

Customer Description	Served	Potential
Clemency petitioners	250	250
Geriatric release petitioners	75	75
Inmates eligible for parole annually (decisions)	6,000	6,000
Parole eligible inmates	10,000	10,000
Parole/Post-release supervision violation cases	600	600
Victims seeking meeting (appointment) with Board member	450	450
Victims to be contacted annually	2,500	7,500

Anticipated Changes In Agency Customer Base:

The total population of parole eligible inmates as of July 1, 2005 was approximately 10,000. This number has declining since the abolition of parole for crimes committed after July 1, 1995. The rate of decline has been slower than originally anticipated. While there is a constant stream of parole eligible inmates out of the prisons on mandatory release and discretionary parole, there is also a large number of parole eligible inmates returning to custody as parole and probation violators. Consequently, the number of parole eligible inmates is in flux but will continue on a downward trend estimated to be approximately 1,000 per year for the next few years but less in the ensuing years.

While there are approximately 10,000 parole eligible inmates in the system, only a portion of those require decisions in a given year because they have not yet reached their initial parole eligibility date. There are approximately 6,000 inmates requiring annual decisions. This number is also expected to decline but at an irregular rate but declining rate.

The number of parole/post release supervision violators has also been declining and now runs about 60 year. Because the number of post release supervision cases is increasing while the number of parole violators is decreasing, it is difficult to predict future trends.

The total population of inmates eligible to petition for geriatric release (60 years of age/10 years served; 65 years of age/5 years served) is approximately 400, all but 65 are parole eligible and already are reviewed annually for parole. The number of geriatric petitions this year will reach about 100. Unfortunately the vast majority of inmates petitioning the Board for release have been violent criminals including many murderers and sex offenders and few have been deemed appropriate for release.

Agency Strategic Plan

Virginia Parole Board

Agency Products and Services:

Current Products and Services

- **PAROLE DECISIONS** (6,000 annually). The Parole Board decides whether inmates who are eligible for parole should be released. Many factors are considered by the Board in deciding whether to grant parole. These factors include the nature of the crime, length of sentence imposed, time served, criminal record, prior experience on supervision, institutional adjustment, family support and victim input.

- **REVOCATIONS** (600 annually). The Parole Board reviews those who are in violation of the conditions of their parole or post-release supervision and determines which individuals should be returned to custody and which should be continued on supervision. Consideration is given to the nature of the crime for which they are on supervision, whether the violation is a new criminal conviction or a technical violation such as continued drug use or failure to complete sex offender treatment, and the amount time left to serve.

- **GERIATRIC PETITIONS** (50-75 annually). There are approximately 400 inmates who meet the minimum requirements of age and length of incarceration. All but approximately 65 of these are parole eligible and therefore are already reviewed annually for parole. Their age as well as any health issues are considered as part of their annual discretionary parole review.

Geriatric petitions are reviewed by the Board and decisions as to whether to release an inmate are based on factors such as the nature of the crime, age and medical condition, length of sentence received, time served, criminal record, institutional record, family and community support and victim input. Most of the inmates who have applied for geriatric release are violent criminals.

- **CLEMENCY PETITIONS** (200-300 annually). Anyone convicted of a crime, whether incarcerated or not, may request clemency from the Governor in the form of a simple pardon (official forgiveness for a crime), a conditional pardon (reduction in sentence/release from incarceration), or an absolute pardon (appropriate only for innocent individuals). At the request of the Governor, the Parole Board investigates the facts and circumstances of the crime and any other relevant information and makes a recommendation to the Governor.

APPEALS OF 3x LOSER STATUS. Under Virginia law (prior to the elimination of parole in 1995), a person convicted of three murders, rapes or armed robberies that were not part of a common scheme or plan is not eligible for parole. The decision as to whether a person falls under the "3x loser" statute is made by the Court and Legal Section of the Department of Corrections and may be appealed to the Parole Board. The Parole Board reviews the facts of the inmate's convictions and determines whether the decision by the Department of Corrections is correct.

- **VICTIM ISSUES.** The Parole Board seeks victim input prior to releasing an inmate on discretionary parole. This is done in two ways. First, the Board, with the help of a grant from the state Department of Criminal Justice Services, is in the process of reviewing the cases of all 10,000 parole eligible inmates and attempting to locate the victims/victims' families to obtain information about the impact of the crimes. The information received is made a part of the official file and is reviewed by the Board as part of the decision making process. Second, whenever the Board is considering granting parole to an inmate, the victim is contacted and updated information sought.

- **BOARD APPOINTMENTS** (400 - 500 annually). The Board offers crime victims and their families the opportunity to meet with a member of the Board to personally express their feelings about the impact the crime had on them and their feelings about the possible release of the inmate on parole. After the Board Appointment, each victim is contacted personally to inform them of the Board's decision. The

Agency Strategic Plan

Virginia Parole Board

Board also offers inmates' families, friends, and supporters the opportunity to meet with a member of the Board to provide information as to the inmate's rehabilitation, parole plan and other factors in support of parole.

Factors Impacting Agency Products and Services

The number of parole eligible inmates will continue to decline from the present figure of 10,000 and the number of parole revocations will decline as well, reflecting the elimination of parole in 1995. In 2002, the size of the Parole Board was reduced from 5 full-time members to three full-time and two part-time members in recognition of the decreasing workload. Other functions of the Parole Board such as clemency and geriatric petitions are expected to remain relatively stable.

Processing time for parole decisions has been reduced to an average of less than 14 days from the time that the cases is received by the Board and 95 percent of parole decisions are made within 30 days. With Board members reviewing and voting on each case separately and with some cases requiring special consideration and further research, current case processing times are in the optimal range.

Anticipated Changes in Agency Products and Services

While the overall workload is declining, it is not anticipated that the basic functions and responsibilities of the parole board will change.

The Victim/Witness grant from the Department of Criminal Justice Services is renewable but obviously dependent on uncertain state and federal funding in the future. Our expectation is that funding will be available for the next fiscal year (2007) but could be reduced. If that were to happen, it is hoped that the Board could supplement the funding in order to continue the position.

Agency Financial Resources Summary:

All of the funding provided for the Parole Board in the Appropriation Act comes from the general fund. In addition, to the general fund appropriation, the Board's budget includes funds from a victim/witness grant.

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$648,359	\$0	\$648,359	\$0
Changes To Base	\$44,004	\$0	\$44,004	\$0
AGENCY TOTAL	\$692,363	\$0	\$692,363	\$0

Agency Human Resources Summary:

Human Resources Overview

The Parole Board has 5 members appointed by the Governor. Three are full-time and two are part-time. The administrative staff consists of four full-time employees (one employee is grant-funded and performs specific victim/witness functions). The three permanent members of the administrative staff have been with the Parole Board for many years and are exceptionally experienced and competent.

Agency Strategic Plan

Virginia Parole Board

Full-Time Equivalent (FTE) Position Summary

Effective Date: 7/1/2005

Total Authorized Position level 6

Vacant Positions 0

Non-Classified (Filled)..... 1

Full-Time Classified (Filled) 6

Part-Time Classified (Filled) 0

Faculty (Filled) 0

Wage 2

Contract Employees 0

Total Human Resource Level 9

Factors Impacting Human Resources

None at this time.

Anticipated Changes in Human Resources

None at this time.

Agency Information Technology Summary:

Current State / Issues

IT services are provided by the DOC and VITA. Work is in progress to provide the Parole Board with a new automated voting system as part of the DOC new case management system.

Factor Impacting Information Technology

N/A

Anticipated Changes / Desired State

N/A

Agency Information Technology Investments:

	<u>Cost-Fiscal Year 2007</u>		<u>Cost-Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Major IT Projects	\$0	\$0	\$0	\$0
Non-Major IT Projects	\$0	\$0	\$0	\$0
Major IT Procurements	\$0	\$0	\$0	\$0
Non-Major IT Procurements	\$0	\$0	\$0	\$0
Totals	\$0	\$0	\$0	\$0

Agency Capital Investments Summary:

Current State / Issues

The agency is housed in the headquarters building of the Department of Corrections. It has no buildings or other capital assets. There are no capital challenges or issues for the agency.

Factors Impacting Capital Investments

N/A

Agency Strategic Plan

Virginia Parole Board

Capital Investment Alignment

N/A

Agency Goals

Goal #1:

Render decisions on cases before the Board in a just and timely manner

Goal Summary and Alignment:

It is the responsibility of the Parole Board to make decisions regarding whether offenders convicted of serious crimes should be released from incarceration prior to the completion of the sentence imposed by the court. It also has to decide whether offenders released on parole, but who have violated conditions of their parole supervision, should be returned to prison. In making each decision, the Board must weigh numerous competing factors:

- the interests of society in seeing that justice is served for the commission of a criminal offense
- the interests of victims of crimes
- whether public safety would be compromised by the release of an offender
- the interests of the offender and the extent of his rehabilitation

In addition to these factors, it is in everyone's interests that decisions be made as expeditiously as possible so as to minimize uncertainty.

This goal is directly related to the Board's mission of protecting public safety and contributing to a fair and effective justice system.

Statewide Goals Supported by Goal #1

- Engage and inform citizens to ensure we serve their interests.